Maleigh Megister.

The President's Message. THE TEXAN DIFFICULTY.

TRANSMITTED AUGUST 6th, 1850.

. To the Senate and House of Representatives. I herewith transmit to the two Houses Congress a letter from his Excellency the of the land, and is to be maintained and up-Governor of Texas, dated on the 14th day of held accordingly. June last, addressed to the late President of the United States, which not having been answered by him, came to my hands on his death; and I also transmit a copy of the anto be made to that communication.

Congress will perceive that the Governor of Texas officially states, that by authority of the Legislature of that State he despatch. ed a special commissioner, with full power and instructions to extend the civil jurisdiction of the State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated on its northwestern limits.

He proceeds to say, that the Commissioner had reported to him, in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adversely, with the inhabtants, to the fulfillment of his object, in favor of the establishment of a separate State government, east of the Rio Grande, and within the rightful limits of the State of Texas. These four counties which Texas proposes to establish and organize, as being within her own jurisdiction, extend over the whole of the Territory east of the Rio Grande, which has heretofore been regarded as an essential and integral part of the department of New Mexico, and actually governed and possessed by her people, until conquered and severed from the republic of Mexico by the Ameri-

The Legislature of Texas has been called together by the Governor, for the purpose, as is understood, of maintaining her claim to establishing over it her own jurisdiction and her own laws, by force.

These proceedings of Texas may well arrest the attention of all the branches of the Government of the United States, and I rejoice that they may occur while the Congress is yet in session. It is, I fear, far from be- division line between Upper and Lower Calbeing impossible that, in consequence of these proceedings of Texas, a crisis may be brought on which shall summon the two Houses of Congress-and still more emphatically the Executive Government-to an immediate readiness for the performance of their respective duties.

By the Constitution of the United States, the President is constituted commander-inchief of the army and Navy, and of the militia of the several States, when called into the actual service of the United States. The Constitution declares also, that he shall take care the laws be faithfully executed, and that he shall, from time to time, give to the Congress information of the state of the Union.

Congress has power by the Constitution to provide for calling forth the militia to exeappropriate acts of Congress have been passed, as well for providing for calling forth the militia, as for placing other suitable of the exchange of ratification of this treaty and efficient means in the hands of the President, to enable him to discharge the constitutional functions of his office.

The second section of the act of the twenty-eighth of February, seventeen hundred and ninety-five, declares that whenever the laws of the United States shall be opposed, or their execution obstructed, in any State. by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or the power vested in the marshals, the President may call forth the milsuch combinations, and to cause the laws to

be duly executed. By the act of March 3, 1807, it is provided that in all cases of obstruction to the laws, either of the United States or any individual State or Territory, where it is lawful for the President to call forth the militia for the puroose of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States as shall be judged necessary.

These several enactments are now in full force; so that if the laws of the United States are opposed or obstructed in any States or Territory, by combinations too powerful to be suppressed by the judicial or civil authorities, it becomes a case in which it is the duty of the President, either to call out the militia or to employ the military and naval force of the United States, or to do both, if in his judgment the exigency of the occasion shall so require, for the purpose of suppressing such combination.

The constitutional duty of the President is plain and peremptory; and the authority vested in him by law, for its performance, clear, and ample.

Texas is a State authorized to maintain her own laws so far as they are not repugnant to the Constitution, laws and treaties of the the United States, to suppress insurrections against her authority, and to punish those who may commit treason against the State according to the forms provided by her own constitution and her own laws.

But all this power is local; and confined entirely within the limits of Texas herself .-She can possibly confer no authority which can be lawfully exercised beyond her own

All this is plain, and hardly needs argument or elucidation. If Texan militia, therefore, march into any one of the other States, or into any territory of the United States. there to execute or inforce any law of Texas, they become at that moment trespassers ; they are no longer under the protection of any lawful authority, and are to be regarded merely as intruders; and if within such State or territory they obstruct any law of the United States, either by power of arms or mere power of numbers, constituting such a combination as is too powerful to be suppressed by the civil authority, the President of the United States has no option left to him, but is bound to obey the solemn injunction of the Constitution, and exercise the high powers vested in him by that instru-

ment, and by the acts of Congress. Or, if any civil posse, armed or unarmed,

States, opposition to which, or the obstruction of which, would constitute a case cal-

The Constitution of the United States declares, that "this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all the treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land." If, therefore, New Mexico be a Territory of the United States, and if any treaty stipulation be in force therein, such treaty stipulation is the supreme law

In the letter to the Governor of Texas, my reasons are given for believing that New Mexico is now a Territory of the United States, with the same extent and the same swer which I felt it to be my duty to cause boundaries which belonged to it, while in the actual possession of the Republic of Mexico, and before the late war. In the early part of that war, both California and New Mexico were conquered by the arms of the United States at the date of the treaty of

By that treaty the title by conquest was confirmed, and these territories, provinces, or departments, separated from Mexico forever; and by the same treaty certain important rights and securities were solemnly guarantied to the inhabitants residing therein.

By the fifth article of the treaty it is de-

clared, that-'The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called the Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch, emptying directly into the sea; from thence up the middle of that river, following the deepest channel where it has more than one, to the point where it strikes the southern boundary of New Mexico, thence westwardly along the whole southern boundary of New Mexico, (which runs north of the town called Paso.) to its western termination; thence northward along the western line of New Mexico, until it intersects the first branch of the river the territory east of the Rio Grande, and of Gila, (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado: thence across the Rio Colorado, following the

> ifornia to the Pacific ocean." The eighth article of the treaty is in the following terms:

"Mexicans now established in Territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said Territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

"Those who shall prefer to remain in the said Territories may either retain the title cute the laws of the Union; and suitable those of citizens of the United States. But their election within one year from the date and those who shall remain in the said Territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be consid-

"In the said Territories, property of every lished there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property, by contract, shall enjoy with resitia, so far as may be necessary, to suppress pect to it guarantees equally ample as if the same belonged to the citizens of the United

The ninth article of the treaty is in these

"The Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, comformably with what is stipulated in the preceding Texas, the Executive of the State, in Februarticle, shall be incorporated into the United States, and be admitted at the proper time with full power and instructions to extend (to be judged of by the Congress of the U- the civil jurisdiction of this State over the (to be judged of by the Congress of the countries of El Paso, Worth, Munroe, an officer as much distinguished rights of citizens of the United States, ac- Presidio, and Santa Fe, situated upon its for prudence and discretion, as for gallant cording to the principles of the Constitution: northwestern limits. and in the mean time shall be maintained

and property, as well as in the free exercise Mexico. be displaced or superseded by other legal sed by the civil authority, the case is one which comes within the provisions of law, and which obliges the President to enforce these provisions. Neither the Constitution or the laws, nor my duty or my oath of of- cy's most obedient servant, P. H. BELL.

fice, leave me any alternative, or any choice. in my mode of action. The Executive Government of the United States has no power or authority to determine what was the true line of boundary between Mexico and the United States before the treaty of Guadalupe Hidalgo, nor has it any such power now, since the question has become a question between the State of Texas and the United States. So far as this boundary is doubtful, that doubt can only e removed by some act of Congress, to which he assent of the State of Texas may be necessary. or by some appropriate mode of legal adjudication; but in the mean time if disturbances or col lisions arise or should be threatened, it is absolutely incumbent on the Executive Government. however painful the duty, to take care that the laws be faithfully maintained; and he can regard only the actual state of things as it existed at the date of the treaty, and is bound to protect all in habitants who were then established, and who now remain north and east of the line of demarcation, in the full enjoyment of their liberty and enter into any Territory of the United States, property, according to the provisions of the 9th uated upon its northwestern limits; and that of suffrage, and provided for the trial by ju-

ple of the United States in the enjoyment of the rights which those treaties and laws guaranty.

It is exceedingly desirable that no occasion should arise for the exercise of the powers thus vested in the President by the Constitution and the laws. With whatever milduess those powers might be executed, or however clear the case of necessity, yet consequences might nevertheless follow, of which no human sagacity can foresee either the evils or the end.

Having thus laid before Congress the commumay devolve on me to be performed, I hope I shall not be regarded as stepping aside from the line of my duty, notwithstanding that I am aware that the subject is now before both Houses, if I express my deep and earnest conviction of the importance of an immediate decision, or arrangement, or setlement of the question of boundary between Texas and the Territory of New Mexico. All considerations of justice, general expediency, and domestic tranquility, call for this. It seems to be, n its character and by position, the first, or one of the first, of the questions growing out of the acquisition of California and New Mexico, and now requiring decision.

No government can be established for New Mexico, either State or Territory, until it shall be first ascertained what New Mexico is, and what are her limits and boundaries. These cannot be fixed or known, till the line of division between her and Texas shall be ascertained and establishedand numerous and weighty reasons conspire, in my judgment, to show that this divisional line should be established by Congress, with the assent of the government of Texas. In the first place, this seems by far the most prompt mode of proceeding, by which the end can be accomplished. If judicial proceedings were resorted to, such proceedings would necessarily be slow, and years would pass by, in all probability, before the controversy could be ended. So great a delay, in this case, is to be avoided it possible. Such delay would be every way inconvenient, and might be the occasion of disturbances and collisions. For the same reason, I would, with the utmost deference to the wisdom of Congress, express a doubt of the expediency of the appointment of commissioners, and of an examination, estimate, and an award of indemnity to be made by them. This would be but a species of arbitration, which might last as long as a suit at law.

So far as I am able to comprehend the case, the general facts are now all known, and Congress i as capable of deciding on it, justly and properly now, as it probably would be after the report of the commissioners. If the claim of title on the part of Texas appears to Congress to be well founded, in whole or in part, it is in the competency of Congress to offer her an indemnity for the surrender of that claim. In a case like this, surrounded as it is by many cogent considerations, all calling for anticable adjustment and immediate settlement, the Government of the United States would be justified, in my opinion, in allowing an indemnity to Texas, not reasonable and extravagant, but fair and liberal and awarded in a just spirit of accommodation.

I think no event would be hailed with more gratification, by the people of the United States, than the amicable adjustment of questions of difficulty which have now, for a long time, agitated the country, and occupied, to the exclusion of other subjects, the time and attention of Con-

they shall be under the obligation to make ertheless, cheerfully acquiesce in any other mode

which the wisdom of Congress may devise. And, in conclusion, I repeat my conviction, that every consideration of the public interest manifests the necessity of a provision by Congress for the settlement of this boundary question, before the present session be brought to a close. The to be desired; but the adjustment of this appears, to me, to be in the highest degree important. In the train of such an adjustment, we may well kind, now belonging to Mexicans not estab- hope that there will follow a return of harmony and good will, an increased attachment to the Union, and the general satisfaction of the coun-

MILLARD FILLMORE. Washington, August 6, 1850.

LETTER OF GOVERNOR BELL.

EXECUTIVE DEPARTMENT. Austin, Texas, June 14, 1850.

To his Excellency Z. TAYLOR, President of the United States :

SIR: By authority of the Legislature of ary last, despatched a special commissioner

That commissioner has reported to me, in and protected in the free enjoyment of their an official form, that the military officers emliberty and property, and secured in the free ployed in the service of the United States. exercise of their religion, without restric- stationed at Santa Fe, interposed adversely with the inhabitants to the fulfilment of his It is plain, therefore, on the face of these object by employing their influence in fatreaty stipulations, that all Mexicans establishment of a separate State lished in territories north or east of the line of Government, east of the Rio Grande, and demarcation already mentioned, come wiffi- within the rightful limits of the State of Texin the protection of the ninth article; and as. I transmit to you, herewith, the proclathat the treaty, being a part of the supreme mation of Col. John Munroe; acting under law of the land, does extend over all such the orders of the Government of the United Mexicans, and assures to them perfect secu- States, under the designation of Civil and rity in the free enjoyment of their liberty Military Governor of the Territory of New

of their religion; and this supreme law of I have very respectfully to request, that the land being thus in actual force over this your Excellency will cause me to be inform-Territory, is to be maintained until it shall ed, at your earliest possible convenience, whether or not this officer has acted in this public, and was governed by her laws. provisions : and if it be obstructed or resisted matter under the orders of his Government, by combinations too powerful to be suppres- and whether his proclamation meets with the approval of the President of the United

> With assurances of distinguished consideration, I have the honor to be your Excellen-

LETTER OF HON. DANIEL WEBSTER DEPARTMENT OF STATE. WASHINGTON, August 5, 1850.

To his Excellency P. H. Bell, Governor of

SIR: A letter addressed by you to the late President of the United States, and dated on the 14th of June last, has since his lamented decease, been transferred to the hands of his

you the following answer: In that letter you say, that by the authority of the Legislature of Texas, the Executive of of freemen in electing their own representathat State, in February last, despatched a tives to the Territorial Legislature. On the structions to extend the civil jurisdiction of tution by an organic law, which provided for Col. Munroe in issuing the proclamation. that State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, sit
El Paso, Worth, Presidio, and Santa Fe, sit
ments of the government; defined the right deni's opinion, it would not be just to suppose

President of the United States.

this letter from him. His predecessor in of- United States can be enjoyed. These have fice, to whom it was addressed, and under not been approved and recognised by me. whose authority and direction the proclama- Such organized regulations as have been tion of Col. Munroe was issued, is no more, established in any of the conquered ter and at this time, that proclamation, whatever ritories for the security of our conquest, observations as I have thought the occasion called for respecting constitutional obligations which may arise, in the further progress of things, and may devolve on me to be performed. I have their representatives, which it invited, is un- these territories while the military possession Government has as yet received no official continue, will be recognised and approved. information of it.

ted States to advise.

In answer therefore to your first interroga-Of this order, which bears date on the 19th of course a military possession. cial or even personal inteference to control, quisition confirmed by treaty. or affect in any way the primary action of ordinate officers.

Colonel McCall and his associates were not called upon to take a lead in any measure, or even to recommend anything as fit der the circumstances, to form a constitution of er the appointment of commissioners, or the refer- doing the Whig cause an essential injury by doto be adopted by the people. Their whole government, without any previous authority con- ence of the dispute to the supreme judicial tribunal duty was confined to what they might be a- ferred by Congress, and thereupon to apply for of the land, as both these nicthods would consume Having thus freely communicated the results ble to perform, subordinate to the wishes of admission into the Union. It was under this much time, and in the meanwhile perhaps lead to a lons, and are expressed without any reference to of adjusting the boundary question, I shall, nev- contemplated that they were to act as the agents of the inhabitants, and not as officers of this government. It must be recollected that the only government then existing in the territory was a quasi military government, and as Congress has made no provision for the establishment of any form of civsettlement of other questions connected with the il government, and as the President doubtered to have elected to become citizens of same subject, within the same period, is greatly less believed that, under these circumstances, the peop'e had a right to frame a gov- of Texas. ernment for themselves, and submit it to Congress for its approval; the order was a Col. Monroe meets with the approval of the Predirection that the then existing military gov- sident of the United States? ernment should not stand in the way of the accomplishment of the wishes of the people nor thwart those wishes, if the people entertained them, for the establishment of a free, evidently the whole purpose and object of the order-

The military officer in command, and his associates, and American citizens, acquainted with the forms of civil and popular proceedings, and it was expected that they would for establishing a government of their own. There was no reason to suppose that Colone? conduct in arms, meant to act, or did otherwise than in entire subordination and subserviency to the will of the people amongst whom he was placed. He was not authorized to do, nor does the President understand him as intending to do anything whatever in his military character, nor to represent in any way, the wishes of the Executive Government of the United States.

transactions, we must recall to our recollec-

Previous to the war with Mexico, which commenced in May, 1846, and received the Texas. sanction of Congress on the 13th of that month, the Territory of New Mexico formed come under the jurisdiction of Texas, such cona Department or State of the Mexican Re-

this Government, invaded this department of her rights, whatever these rights might be .his approach, and the troops under his command dispersed, and Gen. Kearney entered Santa Fe, the capital, on the 18th of August 1846, and took possession of the territory in the name of the United States. On the 22nd of that month he issued a proclamahe had taken possession of Santa Fe, at the head of his troops, and announcing " his intention to hold the department with its original boundaries (on both sides of the Del

Norte) and under the name of New Mexico." By that proclamation he promised to protect the inhabitants of New Mexico, in their person and property, against their Indian enemies and all others; and assured them successor, by whom I am directed to address that the United States intended to provide special commissioner with full power and in- same day he established a Territorial Consti-

local and civil authorities, such seizure, or attempt to seize, is to be prevented or resisted by the authority of the United States.

The grave and important question now arises, whether there be in the Territory of New Mexico and existing law of the United States.

New Mexico and existing law of the United States at 15 and 16 a

The duty of the Executive extends only to the execution of laws and the maintenance of treaties actually in force, and the protection of all the people of the United States in the anisometric laws and the maintenance of treaties and respectfully request the President to this constitution and code was transmitted by President Polk to the House of Representatives, in pursuance of a call on him by the anisometric laws and the maintenance of treaties as far as practicable the state of the maintain to secure the peace of the country; to maintain by President Polk to the House of a call on him by the anisometric laws and the maintenance of treaties as far as practicable the state of the maintain to secure the peace of the country; to maintain by President Polk to the House of a call on him by the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actually in force, and the protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the United States in the actual protection of all the people of the united States in the actual protection of all the people of the country is actually an actual protection of the people of the country is actually orders of his government, and whether his that body. In the message transmitting the proclamation meets with the approval of the constitution, he says, that "portions of it purpurport to establish and organize a perma-In the events which have occurred, the nent territorial government over the territo-President hardly knows whether your excel- ry, and to impart to its inhabitants political lency would naturally expect an answer to rights which under the constitution of the derstood to have taken place, although this of them by the forces of the United States

> Nearly four years have now elapsed since Partaking however, in the fullest degree, the quasi military government was establishin that high respect which the Executive ed by military authority, and received with Government of the United States always en- the exceptions mentioned, the approval of tertains towards the Governors and govern- President Polk. In the meantime, a treaty ments of the States, the President thinks it of peace has been concluded with Mexico, his duty, nevertheless, to manifest that feel- by which a boundary line was established ing of respect by acknowledging and answer- that left this territory within the United ing your letter. And this duty, let me as- States, thereby confirming to the U. States sure your Excel'ency, has been so long de- by treaty, what we had before acquired by layed only by uncontrollable circumstances, conquest. The treaty, in perfect accordance and is now performed at the earliest practi- with the proclamation of Gen. Kearney, cable moment, after the appointment of those | declared that the Mexicans remaining in heads of departments, and their acceptance this territory should be incorporated into the of office, with whom it is usual, on impor- United States, and be admitted at the proper tant occasions, for the President of the Uni- time, (to be judged of by the Congress of the United States,) to an enjoyment of all the rights of citizens of the United States, accortory, viz: whether Colonel Monroe, in issu- ding to the principles of the Constitution: ing the proclamation referred to, acted under "And in the meantime should be maintained the orders of this Government, the President and protected in the free enjoyment of their directs me to state, that Col. Monroe's pro- liberty and property, and secured in the clamation appears to have been issued in free exercise of their religion without repursuance, or in consequence, of an order or striction." Thus it will be perceived that the letter of instructions, given by the late Sec- authority of the United States over New retary of War, under the authority of the Mexico, was the result of conquest; and the late President, to Lieutenant Colonel McCall. possession held of it, in the first place, was

> of November, 1849, your Excellency was The treaty added the title, by cession to undoubtedly informed at the date of your the already existing title by successful aletter. A full and accurate copy, however, chievements in arms. With the peace, there is attached to this communication. Colonel arose a natural expectation that as early as McCall is therein instructed, that if the peo- possible, there would come a civil governple of New Mexico, for whom Congress had ment to supersede the military. But until provided no government, should manifest a some such form of government should come wish to take any steps to establish a govern- into existence, it was matter of absolute nement for themselves, and apply for admission nessity that the military government should into the Union, it will be his duty, and the continue, as otherwise the country must duty of others with whom he is associated, fall into absolute anarchy. And this has not to thwart, but to advance their wishes. been the course generally in the practice of This order does not appear to authorize any civilized nations, when colonies or territories exercise of military authority, or of any offi- have been acquired by war, and their ac-

> The military government, therefore, existing in the people, in the formation of a government, New Mexico at the date of the order, existed there nor to permit any such interference by sub- of inevitable necessity. It existed as much against the will of the Executive Government of the United States, as against the will of the people .opinions, that the order of the 19th November last organized under military authority, approved by the Executive, and left without remonstrance or alteration by Congress for more than three years. It appears to the President that such an order could not have been intended to invade the rights

effect of the proceedings had under it. If the object was to assume the authority to settle the disputed boundary with Texas, then the President popular, republican, civil government, for has no hesitation in saying, such object does not their own protection and benefit. This is meet his approbation, because he does not believe that the Executive branch of this Government or the inhabitants of New Mexico, or both combined, have any constitutional authority to settle that question. That belongs either to the judicial department of the Federal Government or to the concurrent action by agreement of the Legislative departments of the Government of the U. States aid the inhabitants of the territory, by their and Texas. But it has been sufficiently shown advice and assistance in their proceedings that Col. Monroe could have had no such object. and that his intention was merely to act in aid of the people in forming a State constitution to be submitted to Congress.

Assuming then that such a constitution has been formed, what is its effect upon the disputed boundary? If it compromits the rights of either party to that question, then it does not meet the President's approbation, for he deems it his duty to leave the settlement of that question to the tribunal to which it constitutionally belongs. It is sufficient for him that the boundary is in dispute, that the territory east of the Rio del Norte seems to be claimed in good faith, both by Texas and New Mexico, or rather by the United States .-Whatever might be his judgment in regard to To judge intelligently and fairly of these their respective rights, he has no power to decide upon them, or even negotiate in regard to them; tion the circumstances of the case as then and therefore it would be improper for him to express any opinion. The subject-matter of dispute is between the United States and Texas, and not between the inhabitants of New Mexico and

If those people should voluntarily consent to sent would not bind the United States, or take a way their title to the Territory. So, on the other hand, if they should voluntarily claim the title Gen. Kearney, acting under orders from for the United States, it would not deprive Texas with an armed force; the Governor fled at They can only be affected by her own acts, or a judicial decision. The State constitution formed by New Mexico can have no legal validity until it is recognized and adopted by the law making power of the U. States. Until this is done it has no sanction, and can have no effect upon the rights of Texas, or of the United States, to the Territory in dispute. And it is not to be presumtion to the inhabitants, stating the fact that ed that Congress will ever give its sanction to that constitution without first providing for the settle-

Indeed, no government, either territorial or State, can be formed for New Mexico without providing for settling this boundary. Hence he regards the formation of this State constitution as a mere nullity. It may be regarded, indeed, as a petition to Congress to be admitted as a State; but, until Congress shall grant the power of such petition, by legal enactments, it affects the rights of neither party. But as it is the right of all to petition Conthem a free government, when the people gress for any law which it may constitutionally would be called upon to exercise the rights pass, this people were in the exercise of a common right when they formed their constitution, with a view of applying to Congress for admission as a State; and as he thinks the act can prejudice no one, he feels bound to approve the conduct of

Executive to establish any civil or military government within that Territory. That power belongs exclusively to the legislative department, longs exclusively to the legislative department of the United States.

The rightful limits of the State of Texas.—

You also transmit a copy of the proclamation of the United States of the Government of the United States.

The rightful limits of the State of Texas.—

You also transmit a copy of the proclamation of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the decree of the department of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the declaration that he had no power to devant the state of the Ifoth of June last, the late President repeated the state of the Ifoth of June last, the late President repeated the state of the Ifoth of June last, the late President repeated the state of the Ifoth of June last, the late President repeated the state of the Ifoth of June last, the late President repeated the state of the Ifoth of

preserve the rights of the respective parties as they were under the solemn guaranty of the treaty, until the highly interesting question of boundary should be finally settled by competent authority.

This treaty, which is now a supreme law of the land, declares, as before stated, that the inhabitants shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion. It will of course, be the President's duty to see that this law is sustained; and the protection which it guaranties made effectual-and this is the plain

not more particularly to advert, besides, the only questions propounded by you, respect the authority under which Col. Munroe acted, and the approval or disapproval of his proclamation. Your Excellency's communication and the answer will be immediately laid before Congress, and the President will take that occasion to bring to its notice the transactions alluded to above. It is, however, known to your Excellency, that the

questions growing out of the acquisitions of Calfornia and New Mexico, and among them the highly important one of the boundary of Texas, highly important one of the boundary of Texas, have steadily engaged the attention of both Houses known Whig of Western Pensylvania, Secretary of Congress for many months, and still engage it, with intense interest. It is understood that the Legislature of Texas will be shortly in session, and will have the boundary question before it. It is a delicate crisis in our public affairs; not free certainly from possible dangers, but let us confidently trust that justice, moderation, patriotism, and the love of the Union, may inspire such counsels, both in the government of the United States and that of Texas, as shall carry the country through these dangers, and bring it safely out of them all, and with renewed assurances of the continuance of mutual respect and harmony in the great family of States. I have the honor to be, with entire regard, your

Excellency's most obedient servant. DANIEL WEBSTER.

Correspondence of the Baltimore Sun.

Secretary of State.

Washington, August 9th, 1850. The President's Message - A Wise State Pap r ---Southern Objections -- The Sword Pointed to. Now that the President's message on the subject of the boundary disputes between New Mexico and Texas is spread before us in print, giving everybody | Candidate, in the expectation that his service an opportunity of perusing it leisurely, and reflectng on it soberly, there appears to be but one opinon about it, to wit: That it is a very able, judicious provement at the next session, and inasmuch and wise State paper explaining first the law, theu the position in which the country is placed, and last- from party squables and pursuits. But after his ly the means by which peace may be preserved and

armony restored between the contending parties. "It is exceedingly desirable," says the message. that no occasion shall arise for the exercise of the powers thus rested in the President by the constitution nd the lans. With whatever mildness they might be executed, or however clear the case of necessity yet tration-after D mocracy was made the only test consequences might, nevertheless, follow, of which no for office, and after he had propagated throughout numan sagged u can foresee either the evils or the end."

The President then disclaims all intention of establishing either a civil or military government in taken ground in favor of changing the basis of New Mexico till the boundary question shall be disposed of, and recommends to Congress to settle The late President had adopted the opinion, that it before they adjourn, preferring an offer of money

this Mr. Volney Howard called "the first drawing of the sword" on the part of the President. It is stated that Barnum, the Museum man, has expressed great curiosity to see that sword which the President has drawn to fight Texas with, and that he has telegraphed for it. Its exhibition in New York can never exp of to increase their strength or inand Philadelphia, would, no doubt, attract numerous prove their prospects for success, so long as they and fashionable audiences.

nerely pointed to it as a means which the Constitution has placed at his command to support the Union | demonstrates the folly of allowing a canvass to go and the law; urging Congress at the same time to act in such a manner that he may not be obliged (because compelled by the Constitution) to unsheath | the worse than folly of voting for the Opposition, And have not Senators and members of Con- when we have Candidates of our own in the gress in their speeches pointed to the sword that they field, though there may be but little probability of to do so? And shall the President of the U States, their election. Each increased vote that Whigh to whom the sword is given by the Constitution, have ne right to answer these unworthy, if not treasona-

substance of the whole difficulty under which the gress of their principles; and we are thus made country is now laboring; and hence the southern ultras cling to it as a priceless gem. They do not wish it to be settled and hence dislike the message because it arges its settlement. The Texas boundary is the brandy of their punch ; without which it would be nothing but weak lemonade.

The Union of this morning thinks that the message of the President is not sufficiently conciliatory -that the President ought not even to have pointed at or alluded to the sword. How would such a message have been taken by the North? Have not all the threats of dissolution come from the South? and has not the " Juion" itself croakingly (though strikes us, as we have already remarked, though with great innocence of heart, and no doubt with firm, as concaintory in tone, and if its recommengreat patriotism.) repeated them? The Union is, perhaps, in quite as great danger from the want of energy of the general government, as from its vieldng too little.

The fact is, the Union cannot treat with one, two, have no government at all, but a mere copartner- of preventing a settlement, as argued by Mr. Howship of States, to be disolved at any time, whenever do so. If any portion of the South assume such an hostile attitude, they have no right to find fault with and judgment of the country, not its passion of the President, when he points to the law and the inevitable consequences of such a step, not optional with him, but prescribed by the Constitution.

Mr. Clay, on his arrival at New Yerk, on Wed nesday, was met by an immense concourse of

persons, although he made every effort to escape hem. The correspondent of the Ledger says : When the boat came up to the wharf, a simultaneous "Three cheers for Henry Clay" rose up, fairly making the dock tremble with the reverberations. By and by, the veteran appeared on the quarter deck, in company with Mr. David Gra-ham and Nicholas Carroll, Esq., and spoke as

"Gentlemen, it is impossible for me to make ou a speech, and you must really excuse my do- the difficulty which has arisen with the State of voring to serve you as your representative; and am now going to recruit my strength a little, in quiet and retirement, at Newport and Providence." by specific legislation, before the present session Voice. "You'll make us a visit when you get of Congress closes. This is what the welfare and strong, won't you ?"

Mr. Clay. "Oh yes, when I get strong again. Well now, gentlemen, I've got a compromise to

Voice. "Three cheers for the compromise!" Mr. Clay proceeded. "Well, as to my comromise, and by the way, too, about that Omnibus, I want you to let me alone, now; I wish to go to my room and get some rest, and will see you again at some future time, if I live, and you, gentlemen. You had better get into that omnibus and ride home as soon as you can!"

You may imagine the effect of this good naturd sally upon the crowd. I can't describe it .-The noise rings in my ears yet. Mr. Clay goes by Congress in its most liberal and comprehensive East in the steamer this evening. He looks worn sense, would be an all but unanimous Ave." out and fatigued, I thought.

HON. HENRY A. WISE .- A fight .- The Snow Hill (Md.) Shield, published in Winchester coununder the protection of the laws thereof, with intent to seize individuals to be carried elsewhere for trial for alleged offences, and this posse be too powerful to be resisted by the local and civil authorities, such seize, is to be prevented or resistance of the treaty; in other words, all must be arricle of the treaty; in other words, all must be intent to seize individuals to be carried elsewhere for trial for alleged offences, and this posse be too powerful to be resisted by the local and civil authorities, such seizure, or attempt to seize, is to be prevented or resistance of the trial by justing the Commissioner has reported to you in an official form, that the military officers employed in the service of the United States, and occupied in New Mexico at the date of the treaty; until a definite line of boundary shall be established by competent authority. This assertion of duty to protect the people of New Mexico, in the United States, and the commissioner has reported to you in an official form, that the late President desired to manifest any unfined at the Commissioner has reported to you in an official form, that the military officers employed in the service of the United States, and occupied in New Mexico at the date of the treaty; until a definite line of boundary shall be established by competent authorities, such seizure, or attempt to seize, is to be prevented or resistance of the United States, and signed by the President of the United States, and signed by the President of the United States, and provided for the trial by justified manifest any unfined states of the treaty; and the Commissioner has reported to you in an official form, that the late President desired to manifest any unfined states of the treaty; and the Commissioner has reported to you in an official form, that the late President desired to manifest any unfined states, and the Commissioner has reported to you in an official form, that the late President desired to manifest any unfined states of the United States, and provided for words between them, Mr. Wise is said to have beautiful manner entirely with the pen, on a sheet made some reckless declaration in reference to of paper five feet long by seven broad, on which Mr. Wallop and the motives which prompted his are delineated in beautiful chirography in ink. tion of which, would constitute a case calling for the interposition of the authority vested in the President.

longs exclusively to the legislative department, and the time and of the United States, which Texas has lately attempted to establish her own jurisdiction.

longs exclusively to the legislative department, and no desire to mainer of creating or authorizing any such gov.

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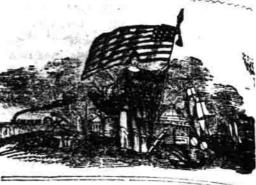
longs exclusively to the legislative department, and no desire to mainer of creating or authorizing any such gov.

longs exclusively to the legislative department, and congress is the sole judge of the time and interfere with it; and that the authority to settle that question resided elsewhere. The object of Government has been, as I believe.

On the 23d of December, 1847, a copy of the Executive Government has been, as I believe.

"the end is not yet."—Balt. Sun.

RALBIGH REGISTER



Ours are the plans of fair delightful peace, Unwarp'd by party rage to live like brothe

RALEIGH, N.C.

Wednesday, August 14, 1850.

THE CABINET COMPLETE

The two vacant places in the Cabinet have been filled by the following appointments: Hon Thos. M. T. McKennon, a sterling and wellof the Department of the Interior; and the Hon Charles M. Conrad, a distinguished citizen of Louisiana, Secretary of War.

The Cabinet Ministers will therefore consist of the following gentlemen:

The Secretary of State, Mr. Webster. The Secretary of the Treasury, Mr. Corwin.

The Secretary of the Interior, Mr. McKennant The Secretary of War, Mr. Conrad. The Secretary of the Navy, Mr. Graham.

The Postmaster General, Mr. Hall.

The Attorney General, Mr. Crittenden WAKE COUNTY.

It is not true as the "Standard" alleges, that any Whige has laid himself open to the charge of a "gross breach of faith," in not having voted for Gen. Saunders in the recent election. The boot is upon the other leg. Leading Whigs updoubtedly solicited Gen. Saunders to become might be important to the cause of Internal im he had proclaimed his isolation, for the future tergiversations upon the question of Internal Improvement-after his truckling to the Rev. Burwell Temple and the Rolesville indignationists after his denunciation of Gen. Taylor's adminthe Country the vile slander that Gov. Manly had faith" Whigs were not only absolved from any pledges to endorse and support him, but were ing so! These are our own independent upintain him. However much we may r gret it, we have no province to go farther.

Our Whig friends in Wake-in Roleigh especially-must indulge us in the remark, that they are found, year after year, contributing to put their opponents into Office! All past experience uncontested; and all past experience demonstrates assist them to roll up, is claimed by the Loco Foco party in the County, as an evidence of the The fact is, the Texas boundary is the sum and growing strength of their numbers and the prothe instruments of our own humiliation! We must act differently, or the consequences will be destructive to our integrity as a Party!

THE PRESIDENT'S MESSAGE.

The President's Message relative to the difficulty between New Mexico and Texas occupies portion of our columns to day. The message dations are followed up, in the same spirit, this vexed question can be adjusted, without any disturbance. The Union, whilst it thinks some of the positions "indiscreet and unfortunate," yel admits that "its tone is conciliatory," and instead ard of Texas, "it will precipitate the issue and hasten the adjustment." We invoke the reason prejudice, in the present crisis of our country's history. Let the President's views be calmiy considered. That he is honest, sincere, and patriotic, none can doubt. That he desires the peace, happiness, and union of the republic, all know.

The National Intelligencer speaking on this sub-

ject, says :- " With the President, however, we do most sincerly concur in the hope that no case can ever occur in which a resort to force to maintain the right of the United States will be necessary; and most heartily do we concur with him, also, in his recommendation of a prompt adjustment, compensation, and settlement, not only of Texas, but of every other question connected with our newly acquired territories ;-a final settlement quiet of this whole Union, too long disturbed by the collision of rival interests and the strife of contentious cliques, imperiously demand. This, 100, is what the PEOPLE of at least twenty-nine of the thirty States of this Union most anxiously desire, So much so, that could the People of each State in the Union be polled upon the entire plan recommended in the Message, we are confident in the belief that from every State in the Union except one-and perhaps even from that one-the response of the People to that plan, to be carried out

A splendid letter of condolence to Mrs. Taylor, relict of our late President, has been publishted and scattered about as so many funeral offer